

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

JOE HAND PROMOTIONS, INC.,)
)
)
Plaintiff,)
)
)
vs.) **Case No. 6:23-cv-03001-MDH**
)
)
CUT-UP'S BAR & GRILL LLC)
d/b/a CUT-UPS BAR & GRILL, et al.,)
)
Defendants.)

ORDER

Before this Court is Plaintiff's Motion for Leave to File First Amended Complaint. (Doc. 14). Plaintiff asserts the proposed amended complaint reflects new charges against Plaintiff based on recently-discovered evidence. Plaintiff filed the present Motion March 21, 2023. Any response from Plaintiff was due April 4, 2023. Plaintiff indicates that Defendants are opposed to Plaintiff's Motion (Doc. 14 at 1), but Defendants have failed to respond in opposition.

Federal Rule of Civil Procedure 15(a) envisions a liberal approach to amended pleadings, directing the Court to give leave to amend freely when justice so requires. The Eighth Circuit has held that “[D]enial of leave to amend pleadings is appropriate only in those limited circumstances in which undue delay, bad faith on the part of the moving party, futility of the amendment, or unfair prejudice to the non-moving party can be demonstrated.” *Hillesheim v. Myron's Cards & Gifts, Inc.*, 897 F.3d 953, 955 (8th Cir. 2018) (citations omitted). No such factor is present in the present case. Given Defendants' failure to respond in opposition and the liberal approach to amended pleadings taken by the federal rules, Plaintiff's Motion is **GRANTED**. Plaintiff must file any amended complaint no later than May 24, 2023.

IT IS SO ORDERED.

DATED: May 17, 2023

/s/ Douglas Harpool
DOUGLAS HARPOOL
UNITED STATES DISTRICT JUDGE